

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

ASHLEY STROHMEYER

PLAINTIFF

V.

GEICO CORPORATION; AND
GEICO COUNTY MUTUAL
INSURANCE COMPANY,
A SUBSIDIARY OF GEICO
CORPORATION; and
CORNEIL CLINTON

DEFENDANTS

CASE NO. 4:19CV00314 SWW

ORDER

This is an insurance dispute, removed from state court, that arises under state law. Before the Court is Plaintiff's motion to remand [ECF No. 27, 28] and Separate Defendants Geico Corporation and Geico County Mutual Insurance Company's response stating no opposition [ECF No. 29]. The time for responding has passed, and Separate Defendant Corneil Clinton has not filed a response. After careful consideration, the motion is granted, and the Clerk is instructed to remand the case back to the state court from which it was removed.

Remand for lack of subject matter jurisdiction after removal is controlled by 28 U.S.C. § 1447(c), which provides, in pertinent part: "If at any time before final judgment it appears that the district court lacks subject matter jurisdiction, the case shall be remanded." Here, it is clear from the face of the second amended complaint and the

answers to that pleading that diversity of citizenship between the parties is lacking and that the controversy arises under state, not federal, law.

IT IS THEREFORE ORDERED that Plaintiff's motion to remand [ECF No. 27] is GRANTED. This case is HEREBY REMANDED, pursuant to 28 U.S.C. § 1447(c), to the court from which it was removed: The Circuit Court of Pulaski County, Arkansas.

IT IS SO ORDERED THIS 13TH DAY OF NOVEMBER, 2019.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE